

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

JEFFREY ALEXANDER STERLING,

Defendant.

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1:10cr485 (LMB)

ORDER

Since June 2, 2014, the United States has had over six months to decide whether it will subpoena James Risen to testify at this trial, which is scheduled to begin Monday, January 12, 2015. Because Mr. Risen's presence or absence at the trial will have a significant impact on how the parties present their case, a decision about Mr. Risen must be made sufficiently before trial to enable the parties to prepare adequately. For these reasons, it is hereby

ORDERED that at the open hearing scheduled for 10:00 a.m. on Tuesday, December 16, 2014, the United States be prepared to commit to a position on whether it will be seeking Mr. Risen's testimony for the trial, and if so, any conditions or limitations it has worked out with Mr. Risen's counsel.

The Clerk is directed to forward copies of this Order to counsel of record and to the Classified Information Security Officer.

Entered this 9th day of December, 2014.

Alexandria, Virginia

/s/ LMB

Leonie M. Brinkema
United States District Judge